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REMARKS

Claims 1-14 and 16-27 are pending in the present Application. No claims have been canceled, amended, or added, leaving Claims 1-14 and 16-27 for consideration upon entry of the present Response. The claims have been presented with this Response for the convenience of the Examiner. Reconsideration and allowance of the claims are respectfully requested in view of the following remarks.

Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1-27 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by USP 5,777,064 to Hayashi et al (hereinafter the "Hayashi"). Applicants respectfully traverse this rejection.

Hayashi generally discloses a method of producing a polycarbonate excellent in hue, thermal stability, and electrolytic stability by supplying a polycarbonate obtained by a transesterification method to an extruder having vent(s), melting the polycarbonate, and adding an acidic compound to the molten polycarbonate followed by kneading to continuously devolatilize low molecular weight compounds remaining in the polycarbonate (abstract).

To anticipate a claim, a reference must disclose each and every element of the claim. *Lewmar Marine v. Variant Inc.*, 3 U.S.P.Q.2d 1766 (Fed. Cir. 1987).

Hayashi fails to disclose each and every element of the instant claims. In particular, regarding Claims 1-8, Hayashi fails to disclose a polycarbonate composition comprising residual ionic species in an amount of zero to about 100 parts per billion and having a melt volume rate of about 1 to about 35 cubic centimeters 10 minutes, as claimed in instant Claim 1. In fact, Hayashi fails to disclose or discuss in any way the level of residual ionic species in either the starting materials or the final polycarbonate product.

On the other hand, Claim 1 claims a polycarbonate composition comprising chloride, sulfate, phosphate or a combination of two or more of the foregoing ionic species, wherein these ionic species is present in an amount of zero to about 100 parts per billion based on the total weight of the polycarbonate. As taught by paragraph [0025] of the instant Specification, the level of ionic species in the final polycarbonate product depends at least in part on the

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quality of the initial carbonic diester and aromatic dihydroxy compound. The low level of the ionic species in the polycarbonate composition of instant Claim 1 is achieved at least in part by using reactants with lower levels of these ionic species. Hayashi fails to teach this element in anyway and thus it does not anticipate instant Claim 1 and depend Claims 2-8.

Regarding Claims 9-14 and 16-27, Hayashi fails to disclose the particular starting material of the aromatic dihydroxy compound wherein the compound comprises up to about 200 parts per billion of ions based on the total weight of the aromatic dihydroxy compound as claimed in instant Claim 9. The Examiner alleges that Hayashi "would still anticipate the claimed invention since the composition contains the same reactants and reaction conditions as well as the process for making same" (Page 4, Office Action dated 1/6/2006). Applicants respectfully disagree.

In order to support an anticipation rejection based on inherency, an Examiner must provide factual and technical grounds establishing that the inherent feature necessarily flows from the teachings of the prior art. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Int. 1990); *In re Oelrich*, 666 F.2d 578, 581, 212 U.S.P.Q. 323, 326 (C.C.P.A. 1981) (holding that inherency must flow as a necessary conclusion from the prior art, not simply a possible one).

As presented above, the level of ionic species in the final polycarbonate product depends at least in part on the ionic levels of the reactants. Since Hayashi does not in any way teach or disclose the levels of the ionic species of its reactants, it uses different reactants from those in the instant claims. Thus Hayashi's polycarbonate product would not necessarily have the low levels of the ionic species of the instant claims.

For at least the reasons detailed above, the levels of residual ions as instantly claimed does not necessarily flow from the production method taught in Hayashi. Therefore, Hayashi does not anticipate the invention of the instant claims.

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Applicants respectfully request withdrawal of the §102(b) rejection and allow the claims.

It is believed that the foregoing remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are respectfully requested.

If there are any additional charges with respect to this Response or otherwise, please charge them to Deposit Account No. 07-0893.

Respectfully submitted,

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